

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

KATHRYN FJELD,

Plaintiff,

- against -

INTERNATIONAL BUSINESS MACHINES, INC.,  
d/b/a IBM, ISOGON CORPORATION,  
TETRAGON, L.L.C., STEVEN BARRITZ,  
ROBERT BARRITZ,

Defendants.

## RULE 7.1 STATEMENT

07 Civ. 10355 (CM/HBP)

**DEFENDANT TETRAGON L.L.C.**  
**STATEMENT PURSUANT TO FED. R. CIV. P. 7.1**

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure, the undersigned counsel for defendant, Tetragon L.L.C., a private, non-governmental entity, certifies that the aforesaid defendant, Tetragon L.L.C., has no corporate parents, affiliates or subsidiaries that are publicly held and that no publicly-held corporation owns 10% or more of said party's respective stock.

Dated: Jericho, New York  
December 3, 2007

NIXON PEABODY LLP

By: /s/  
Joseph J. Ortego (JO 3839)  
Thomas M. Mealiffe (TM 7369)

*Attorneys for Defendant  
Tetragon L.L.C.*

50 Jericho Quadrangle  
Jericho, New York 11753  
(516) 832-7500

- 2 -

TO: Gerald A. Bunting, Esq.  
Bunting, Goner & Associates PC  
1983 Marcus Avenue, Suite 117  
Lake Success, NY 11042  
(516) 358-8825

Diane Krebs, Esq.  
Gordon & Rees LLP  
Attorneys for Defendants  
IBM, Isogon Corporation  
90 Broad Street, 23<sup>rd</sup> Floor  
New York, NY 10004  
(212) 239-5500